

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S009367

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

D & M NURSERY

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

D & M NURSERY

2975 CLOVERDALE RD

PESCADERO, CA 94060

Agent:

Address:

Phone No. ~~415-998-1998~~ 650 5770367

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: BUTANO CREEK

Tributary To:

County: San Mateo

Diversion within: NW 1/4 of SW 1/4 Section 24, T 8 S, R 5 W, MDB&M

Year of First Use: 1960

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2008 JUN 27 PM 3:32

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1960

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:

Gallons per minute (gpm) N/A Gallons per day (gpd) ☒ Cubic feet per second (cfs) ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005	30TH	30TH	40TH	40TH	40TH	40TH	35TH	30TH	30TH	25TH	20TH	15TH	25TH
2006	25TH	25TH	35TH	40TH	40TH	40TH	30TH	35TH	25TH	25TH	15TH	10TH	25TH
2007	30TH	30TH	35TH	45TH	45TH	40TH	25TH	25TH	30TH	25TH	20TH	15TH	25TH

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:

Gallons ☒ Million Gallons (MG) ☐ Acre-feet (AF) ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005	30TH	30TH	40TH	40TH	40TH	40TH	35TH	30TH	30TH	25TH	20TH	15TH	
2006	25TH	25TH	35TH	40TH	40TH	40TH	30TH	35TH	25TH	25TH	15TH	10TH	
2007	30TH	30TH	35TH	45TH	45TH	40TH	25TH	25TH	30TH	25TH	20TH	15TH	

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 3 1/2 acres; Stockwatering ; Domestic

Other (specify) NURSERY

Parcel Number(s) of Place of Use: 087220150

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐
Describe any water conservation efforts you have initiated: MORE WATERING BY HAND

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

EWREMS/cm
7/9/09

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
- I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-14-08, 20____ at 2975 CLOVERDALE RD, PESCADERO, California

SIGNATURE: Dean C Myers

PRINTED NAME: DUANE C MYERS
(first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S009367%\$%2004

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: D & M NURSERY;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

D & M NURSERY

STATEMENT NO.: S009367
CONTACT PHONE NO.: (415)879-0798

**2975 CLOVERDALE RD
PESCADERO, CA 94060**

Source Name: BUTANO CREEK
Tributary To: PESCADERO CREEK
County: San Mateo
Diversion Within: NW1/4 of SW1/4 Section 24, T08S, R05W, MB&M

Year of First Use: 1960
Parcel Number:

2005 APR 25 PM 3:51
DIV OF WATER RIGHTS
SACRAMENTO

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other				
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual	
2002	30TH	40TH	45TH	55TH	60TH	60TH	65TH	60TH	60TH	55TH	40TH	35TH	605	TH
2003	25TH	25TH	45TH	50TH	60TH	58TH	60TH	60TH	60TH	50TH	35TH	35TH	573	TH
2004	30TH	38TH	45TH	55TH	60TH	60TH	60TH	60TH	60TH	40TH	30TH	25TH	563	TH

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 4 1/4 acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO ☒
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

5-11-05
PAM

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☐ NO ☒

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year 1 _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year 1 _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☒

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year 4 18-05 (AF/MG) Year _____ (AF/MG) Year 1 _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ☐ NO ☐

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20____ at 2975 CLOVERDALE RD PASCADERO California

SIGNATURE: Duane Myers

PRINTED NAME: DUANE MYERS
(first name) (middle initial) (last name)

COMPANY NAME: D + M NURSERY

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S009367%\$2001

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1999, 2000, 2001

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: D & M NURSERY

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

D & M NURSERY
2975 CLOVERDALE RD
PESCADERO, CA 94060

STATEMENT NO.: S009367
CONTACT PHONE NO.: (415)879-0798

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S009367
PASSWORD: C16148

Source Name: BUTANO CREEK
Tributary To: PESCADERO CREEK
County: San Mateo
Diversion Within: NW1/4 of SW1/4 Section 24, T08S, R05W, MB&M

Year of First Use: 1961 ✓

Parcel Number:

A. Water is used under: Riparian claim ✓ Pre 1914 right Other (explain):

B. Year of first use (Please provide if missing above) 1960 ✓

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:														Gallons	✓	Acre-feet	Other					
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual									
1999	10 TH	20 TH	45 TH	55 TH	60 TH	60 TH	60 TH	55 TH	50 TH	50 TH	35 TH	10 TH	510,TH									
2000	5 TH	15 TH	40 TH	50 TH	60 TH	60 TH	60 TH	50 TH	45 TH	50 TH	30 TH	5 TH	470 TH									
2001	8	15	35	50	55	60	60	50	40	50	30	10	463									

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ✓ acres; Stockwatering ; Domestic ;

Other (specify) -

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ✓ NO

Describe any water conservation efforts you have initiated:

DRIP + HAND WATERING

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES NO ✓

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-28-02, 20____ at 2975 CLOVERDALE RD, PESCARERO, California

SIGNATURE: Duan M Myers

PRINTED NAME: DUAN C MYERS
(first name) (middle init.) (last name)

COMPANY NAME: DTM NURSERY

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

STATE WATER RESOURCES

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

98 JUL -6 PM 3:59

DIV. OF WATER RIGHTS
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: D & M NURSERY

D & M NURSERY
2975 CLOVERDALE RD
PESCADERO, CA 94060

STATEMENT NO: S009367

SOURCE: BUTANO CREEK
TRIBUTARY TO: PESCADERO CREEK
COUNTY: SAN MATEO
DIVERSION

WITHIN: NW¼ OF SW¼ SECTION 24, T8S, R5W, MB&M.

TELEPHONE NUMBER:
(415) 879-0798
YEAR OF FIRST USE: 1961
PARCEL NO:

A. Water is used under: Riparian claim ☒ Pre 1914 right _____ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are. Gallons _____ Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
1997	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
1998	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ☒ acres; Stockwatering _____; Domestic _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started. _____

b. _____

c. If credit toward beneficial use of water under claimed pre 1914 appropriate water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒

DEC 29 1998

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-30-99, 1999 at 2975 CLOVERDALE ROAD Pasadena, California

SIGNATURE: Deen C Myers

PRINTED NAME: DUANE C MYERS
(first name) (middle init.) (last name)

COMPANY NAME: D+M NURSERY

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: D & M NURSERY

D & M NURSERY
2975 CLOVERDALE ROAD
PESCADERO, CA 94060

SOURCE: BUTANO CREEK
TRIBUTARY TO: PESCADERO CREEK
COUNTY: SAN MATEO
DIVERSION

WITHIN: NW¼ OF SW¼ SECTION 24, T8S, R5W, MB&M.

STATEMENT NO: 9809367

TELEPHONE NUMBER:
(415) 879-0798

YEAR OF FIRST USE: 1961
PARCEL NO:

A. Water is used under: Riparian claim ☒; Pre 1914 right ☐; Other (explain) ☐

B. Year of first use (Please provide if missing above) 1960

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) ☐

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1995	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 4 1/4 acres; Stockwatering ☐; Domestic ☐

Other (specify) NURSERY

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-23-96, 19 96, at 2975 CLOVERDALE RD PESCADERO, California

SIGNATURE: Donne Myers

PRINTED NAME: DUANNE CHARLES MYERS
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: D & M NURSERY

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

[illegible]

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

“Appropriation of Water in California”

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 009367

D & M NURSERY
2975 CLOVERDALE ROAD
PESCADERO, CA 94060

TELEPHONE NUMBER:
(415) 879-0798

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BUTANO CREEK

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: SAN MATEO

DIVERSION

WITHIN: NW1/4 OF SW1/4 SECTION 24, T08S, R05W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☒ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1989	8TH	32TH	15TH	18TH	22TH	225TH	225TH	225TH	120TH	20TH	35TH	20TH	1,510,000
1990	5TH	35TH	125	150	175	225	225	230	150	60	35	20	1,435,000
1991	9TH	35	140	160	150	225	225	230	150	55	25	20	1,424,000

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 4 1/4 ACRES NURSERY

Stockwatering _____

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-26, 19 92, at 2975 Cloverdale Road Pescadero, California

Signature: Diane Camy

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS STATE WATER RESOURCES
 STATEMENT OF WATER DIVERSION AND USE CONTROL BOARD

This statement should be typewritten or legibly written in ink AUG 9 10 21 AM '77

- A. Name of person diverting water D & M NURSERY SACRAMENTO
 Address 2975 CLOVERDALE RD. Telephone: 879-0798
 B. Name of body of water at point of diversion BUTANO CREEK
 Tributary to _____
 C. Place of diversion 1/4 Section 4, Township 9, Range 5W, 12N B&M,
SAN MATEO County, or locate it on sketch of section grid on reverse side with regard to section
 lines or prominent local landmarks.

D. Name of works _____

E. Capacity of diversion works _____

cubic feet per second
 gallons per minute
 gallons
 acre-feet

Capacity of storage reservoir _____

State quantity of water used each month in gallons or acre-feet 360,000 per mo.

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
													<u>4,320,000 gal.</u>

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 8,640,000 gal. gallons
 Minimum annual water use in recent years 4,320,000 gal. acre-feet
 Type of diversion facility: gravity _____, pump ✓ gallons
 Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate ✓ acre-feet

F. Purpose of use (what water is being used for) IRRIGATION OF NURSERY STOCK

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
2975 CLOVERDALE RD. PESCADERO, CA. 94060

H. Year of first use as nearly as known 1961

I. Name of person filing statement DUANE MYERS
 Position PRESIDENT Organization D & M NURSERY
 Address P.O. Box 248 PESCADERO, CA. 94060 Telephone: 879-0367

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
 DATED: 8-2, 19 77, at Pescadero, California.

Signature: Duane Myers

See Instructions on Reverse Side